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Honorable Thomas O. Rice

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON AT RICHLAND

JOHN DOE 1; JOHN DOE 2; JANE DOE 1; JANE DOE 2; JANE DOE 3; and all persons similarly situated,

NO. 4:21-cv-05059-TOR

Plaintiffs,
v.

Declaration of Danny Waxwing

WASHINGTON STATE DEPARTMENT
OF CORRECTIONS; CHERYL
STRANGE, Secretary of The Department
of Corrections, in her official capacity,

Defendants.

I, Danny Waxwing, declare as follows:

25 1. I am admitted to practice before all of the courts of the State of
26 Washington and this Court. I am an attorney at Disability Rights Washington and
27 counsel of record for Plaintiffs in the above-captioned matter. I have personal

knowledge of the facts set forth in this declaration, and, if called as a witness, I could and would testify competently to the matters set forth here.

2. On January 30, 2023, Defendants made a document production in this case. I reviewed the entire production.

3. Included in that production as DEFS5835 to DEFS16766 are records relating to DOC public records request P-12404. I have prepared a PDF extract of records from this production with my own yellow highlights appended to mark areas of particular significance. That document is attached as **Exhibit A**.

4. While reviewing the entire January 30, 2023 production, I noted at least 53 instances of failures to withhold protected information and 21 separate class members whose transgender status was disclosed.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this 7th day of February, 2023, at Seattle, Washington

J

Danny Waxwing, WSBA # 54225